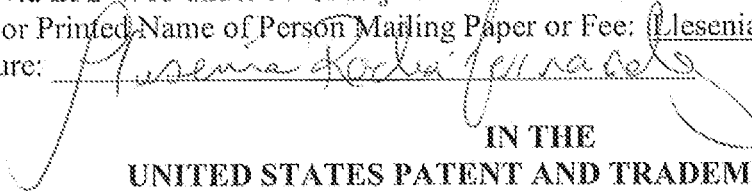


Date of Deposit: February 19, 2013

I hereby certify that this paper or fee is being filed with the United States Patent and Trademark Office via EFS-Web under 37 CFR § 1.8 on the date indicated above.

Typed or Printed Name of Person Mailing Paper or Fee: Llesenia Rocha-Fernandez

Signature: 

**IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE**

SERIAL NO.:	09/735,697	CONF. NO.:	6750
APPLICANT:	NOEL LEE	ART UNIT:	2836
FILED:	DECEMBER 12, 2000	EXAMINER:	DEBERADINIS, ROBERT
DOCKET NO.:	P1230	CUSTOMER NO.:	24,394

FOR: APPARATUS AND METHOD FOR POWERING MULTIPLE PERIPHERAL
DEVICES FROM A COLOR-CODED CENTRAL POWER SOURCE

MAIL STOP APPEALS
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

APPELLANT'S RESPONSE TO EXAMINER'S ANSWER

Dear Sir:

Appellant submits this reply to the Examiner's Answer to Appeal Brief dated December 19, 2012. A Request for Oral Hearing and payment of the required fee are submitted herewith.

It is believed that no additional fees are required. However, in the event that additional fees are required, please contact the undersigned.

First, Appellant notes that the Examiner rejected claims 58-66 “with the same rejection used to reject the previous set of claims (49-62) presented to the Board in Appeal 2010-002446.” The Examiner asserts that the claims at issue herein are “not patentably distinct” from the claims at issue herein. However, even a cursory review of the record makes it clear that the currently pending claims are patentably distinct from the previously appealed claims. In fact, the currently pending claims include a variety of claim elements that were not at issue in the previous appeal. In particular, the Examiner has still not stated a *prima facie* case of obviousness by addressing the following pending claim elements:

1. assigning a separate and distinct color-coded outlet for selectively identifying each outlet (see claim 58);
2. assigning to each color-coded outlet a different color from any other such color-coded outlet (see claim 58);
3. wherein each indicia identifies a peripheral device connected to the adjacent color-coded outlet (see claim 59);
4. wherein each indicia comprises a color-coded label identifying the peripheral device connected to the adjacent color-coded (see claim 60);
5. wherein each color-coded label comprises a unique identifier to identify a peripheral device (see claim 61);
6. wherein the unique identifier comprises one or more printed words and/or abbreviations thereof (see claim 62);
7. a plurality of unique colored areas disposed on or proximate to each outlet, for identifying each outlet and the peripheral device connected to each outlet (see claim 63);
8. wherein each color-coded label comprises the same color as the adjacent colored area; and identifies a peripheral device connected to the adjacent outlet (see claim 64);
9. wherein each color-coded label comprises a unique identifier to identify the peripheral device (see claim 65); and
10. wherein the unique identifier comprises one or more printed words and abbreviations thereof (see claim 66).

As such, Appellant maintains that the Examiner has failed to state a *prima facie* case of obviousness for the pending claims. The Examiner has neither identified nor discussed all of the pending claims elements. Instead, the Examiner has merely made conclusory statements without identifying the currently pending claim elements and applying the references to those elements.

Further, the Examiner is still referring to claim language that is not present in the currently pending claims. For instance, in the last paragraph of page 4 of the Examiner's Answer, the Examiner states that the "Barna reference discloses color coded tag to tag a power cable or device..." As Appellant pointed out in the Appeal Brief, this claim language is not pending herein. It appears that the Examiner is still commenting on the claim language that was before him in 2010, and has still not reviewed the currently pending claims.

For these reasons, Appellant respectfully asserts that the rejections should be reversed and the claims be allowed to issue.

Respectfully submitted,



John E. Nielsen
Patent Reg. No. 53,392

JEN/lrf
Date: February 19, 2013
LARIVIERE, GRUBMAN & PAYNE, LLP
(831) 649-8800